

**MEMO ENDORSED**



USDC SDNY  
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ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 2/18/2020

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February 18, 2020

**VIA ECF**

Hon. Valerie E. Caproni  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: Diggs v. City of New York, 17-CV-1127 (VEC)(HBP)

Dear Judge Caproni:

I am an Assistant Corporation Counsel assigned to defend the above referenced matter. I write on behalf of all parties to respectfully request additional time for the parties to submit an executed stipulation of settlement. On January 16, 2020, the Court directed that the stipulation be submitted by February 18, 2020. (ECF. Nos. 76, 77) However, as of this morning, defendants have not yet received from Plaintiff an executed copy of the stipulation.

As background, on January 22, 2020, defendants mailed copies of the stipulation and releases to Plaintiff. On January 31, 2020, defendants contacted Plaintiff's contact person, Ms. Tina Totten, to request that she inquire of Plaintiff as to whether he had received the papers. On February 1, 2020, Ms. Totten informed defendants that Plaintiff had not yet received the papers. On February 5, 2020, defendants mailed another set of copies to Plaintiff. I have this morning inquired of Ms. Totten whether Plaintiff has received the papers and she has informed me that she will inquire of Plaintiff. In the event Plaintiff informs that he has not received the papers, I will escalate the issue within the State Correctional system to ensure that the papers are delivered to Plaintiff.

Defendants propose that in the event the parties are unable to file an executed Stipulation by March 6, 2020, that a status letter be due on that date.

Respectfully submitted,

/s/

Martin Bowe  
Assistant Corporation Counsel

cc: Lonnie Diggs 18A-26-290  
Franklin Correctional Facility  
NYSID: 05303918Y  
60 Bare Hill Road  
P.O. Box 10  
Malone, NY 12953

Application GRANTED.

SO ORDERED.

*Valerie Caproni*

2/18/2020

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE